

ORIGINAL

Akin Gump

STRAUSS HAUER & FELD LLP

TOM W. DAVIDSON

+1 202.887.4011/fax: +1 202.887.4288

tdavidson@akingump.com

DOCKET FILE COPY ORIGINAL

January 20, 2014

Accepted/Files

JAN 20 2015

*Federal Communications Commission
Office of the Secretary*

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: KCEB License Company, LLC
MB Docket No. 14-245

Dear Ms. Dortch:

On behalf of KCEB License Company, LLC, enclosed please find an original and one copy of its comments in the above captioned proceeding.

Please direct any questions concerning this matter to the undersigned

Sincerely,



Tom W. Davidson

Enclosures

cc: Joyce Bernstein (email)

No. of Copies rec'd
List ABCDE

0+1

ORIGINAL

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.622(i)
Post-Transition Table of Allotments,
Digital Television Broadcast Stations
(Longview, Texas)

)
)
) MB Docket No. 14-245
) RM-11740
)
)

Accepted/Files

JAN 20 2015

Federal Communications Commission
Office of the Secretary

COMMENTS OF KCEB LICENSE COMPANY, LLC

Pursuant to Sections 1.415, 1.419, and 1.420 of the rules of the Federal Communications Commission ("FCC" or "Commission"),¹ KCEB License Company, LLC ("Petitioner"), licensee of commercial digital television ("DTV") station KCEB(TV), Longview, Texas ("KCEB"), by and through its attorneys, hereby submits these comments in response to the Notice of Proposed Rulemaking ("NPRM") in the above-captioned proceeding. The NPRM was adopted by the FCC's Media Bureau ("Bureau") on December 8, 2014 in response to the petition for rulemaking ("Petition") filed by Petitioner on November 25, 2014. In the NPRM, the Bureau seeks comment on Petitioner's proposal to amend the Post-Transition Table of DTV Allotments to substitute channel 26 for channel 51 at Longview, Texas.

As stated in the NPRM, channel 26 can be substituted for channel 51 at Longview, Texas, as proposed in the Petition, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission's rules, and the proposed channel change meets the

¹ 47 C.F.R. §§ 1.415, 1.419, 1.420.

technical requirements set forth in Sections 73.616 and 73.623 of the Commission's rules.²

Further, protecting the channel 26 facility rather than the channel 51 facility will not significantly impact the Commission's repacking flexibility in connection with the broadcast television spectrum incentive auction.³ Importantly, and as explained in the Petition,⁴ which is incorporated herein by reference, the channel substitution is in the public interest because it will eliminate potential interference to and from wireless operations in the adjacent lower 700 MHz A block and facilitate the clearing of the adjacent television band as expeditiously as possible.

If the Petition is granted, the Petitioner intends to apply for a construction permit to modify the KCEB facilities to operate on channel 26 and, if authorized, to promptly implement the change in accordance with the Commission's rules. Petitioner also intends to license the substitute channel 26 facility before the pre-auction licensing deadline in order to receive interference protection for such facility in the FCC's repacking of the broadcast television bands in the incentive auction process.⁵ To that end, the Petitioner respectfully requests that if the Bureau adopts the proposed channel change that the change be made effective upon the release of the Report and Order in this proceeding.

² Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations (Longview, Texas), MB Dkt No. 14-245, RM-11740, Notice of Proposed Rulemaking, DA 14-1761, ¶ 3 (Dec. 8, 2014)(the "NPRM").

³ *NPRM* at ¶ 3 n.4.

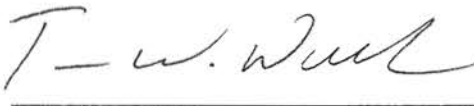
⁴ KCEB License, LLC Petition for Rulemaking, MB Dkt. No. 14-245, RM-11740 (Nov. 25, 2014).

⁵ *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, Report and Order, FCC 14-50, ¶ 203 (rel. June 2, 2014).

For the foregoing reasons, and for the reasons stated in the Petition, Petitioner respectfully requests that the Bureau amend the DTV Table as proposed in the NPRM.

Respectfully submitted,

KCEB LICENSE COMPANY, LLC

By: 
Tom W. Davidson
Lyndsey Grunewald

Its Attorneys

Akin Gump Strauss Hauer & Feld,
LLP 1333 New Hampshire Avenue,
N.W. Washington, D.C. 20036
(202) 887-4000

Dated: January 20, 2015